

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-V-

ORDER OF DISMISSAL
CR 04- 88 (JS)

ANDREW GRAYNOR
-----X

FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

Appearances:

★ JUN 28 2006 ★

For the Government:

Demetri Jones, A.U.S.A.
U.S. Attorney's Office, E.D.N.Y.
610 Federal Plaza
Central Islip NY 11722

LONG ISLAND OFFICE

For the Defendant:

Richard Haley, Esq.
Haley Weinblatt & Calcagni
1 Suffolk Sq. #425
Islandia NY 11749

SEYBERT, District Judge:

The above-captioned case has lain dormant since its transfer from the District of New Jersey under Rule 20, FRCrP, on Feb. 3, 2004. An Information was filed.

By its letter dated Jun. 12, 2006, filed under seal, the Government informed the Court that the New Jersey charges were the same or similar to those filed in this district. Joinder is proper under Rule 8, FRCrP. The prosecution of this defendant went forward under case CR 00-1307. The Government's letter presents a joint motion to belatedly consolidate the cases and dismiss the second one.

As the defendant has been sentenced on the older case, the motion is granted. The newer case is DISMISSED. The Clerk of Court is directed to mark CR 04- 88 closed.

SO ORDERED.

Dated: JUNE 28, 2006
Central Islip NY

~~JOANNA SEYBERT~~ U.S.D.J.